

Order

Michigan Supreme Court
Lansing, Michigan

October 26, 2009

Marilyn Kelly,
Chief Justice

139101 & (39)

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

JAMES PLAGGEMEYER and RUTH
PLAGGEMEYER,
Plaintiffs-Appellants,

v

SC: 139101
COA: 284016
Muskegon CC: 07-045215-NI

THOMAS LEE, SUSAN LEE, and RYAN
E. LEE,
Defendants-Appellees.

On order of the Court, the motion for leave to file brief amicus curiae is GRANTED. The application for leave to appeal the May 12, 2009 judgment of the Court of Appeals is considered and, it appearing to this Court that the case of *McCormick v Carrier* (Docket No. 136738) is pending on appeal before this Court and that the decision in that case may resolve an issue raised in the present application for leave to appeal, we ORDER that the application be held in ABEYANCE pending the decision in that case.

YOUNG, J. (*dissenting*). I would deny leave to appeal, for the reasons stated in Justice Corrigan's dissenting statement in *McCormick v Carrier*, 485 Mich ____ (Docket No. 136738, lv gtd order entered August 20, 2009).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 26, 2009

Corbin R. Davis

Clerk